

CITY COUNCIL PROCEEDINGS

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MINUTES OF THE MEETING OF THE CITY COUNCIL

Wichita, Kansas, June 14, 2005

Tuesday, 9:13 A.M.

The City Council met in regular session with Mayor Mayans in the Chair. Council Members Brewer, Gray, Martz, Schlapp, Skelton; present. Council Member Fearey absent with prior notice.

George Kolb, City Manager; Gary Rebenstorf, Director of Law; Patsy Ellis, Deputy City Clerk; present.

Dr. David Hansen, Conference Minister, Kansas/Oklahoma United Church of Fabrique, gave the invocation.

The pledge of allegiance to the flag was participated in by the Council Members, staff, and guests.

The Minutes of the June 7, 2005 meeting were approved 6 to 0. (Fearey absent)

AWARDS AND PROCLAMATIONS

PROCLAMATIONS

No awards or proclamations were presented.

Motion --
--carried

Mayans moved that the Consent Agenda be approved with the recommended actions. Motion carried 6 to 0, (Fearey absent).

CONSENT AGENDA

BOARD OF BIDS

REPORT OF THE BOARD OF BIDS AND CONTRACTS DATED JUNE 13, 2005.

Bids were opened June 10, 2005, pursuant to advertisements published on:
PUBLIC WORKS DEPARTMENT/ENGINEERING DIVISION: Sewers, Paving and Water Mains as per specifications.

Lateral 34, Main 1 Westlink Interceptor Sewer to serve Westfield Acres Addition -south of Douglas, west of Tyler. (468-83831/744076/480764) Traffic to be maintained during construction using flagpersons and barricades. (District V)

Mies Construction - \$16,000.00

Water Distribution System to serve Reed's Cove Addition - south of 21st Street North, east of 127th Street East. (448-89853/735259/470930) Does not affect existing traffic. (District II)

McCullough Excavation - \$40,500.00

Storm Water Sewer #612 to serve The Waterfront Addition - north of 13th Street North, east of Webb. (468-83951/751395/485286) Does not affect existing traffic. (District II)

Mies Construction - \$58,178.00

Main 10 Northwest Interceptor Sewer - 135th Street West, 21st Street North. (468-83971/622096/675128) **AND** 24 Inch Water Main in 135th Street West from 21st Street North to 29th Street North - 135th Street West, 21st Street North. (448-89941/633960/754854) Traffic to be maintained during construction using flagpersons and barricades. (District V)

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Dondlinger & Sons - \$1,318,959.00 (Total aggregate bid)

Motion--

Mayans moved that the contracts be awarded as outlined above, subject to check, same being the lowest and best bid within the Engineer's construction estimate, and the and the necessary signatures be authorized. Motion carried 6 to 0, (Fearey absent).

--carried

WATER & SEWER DEPARTMENT/SEWAGE TREATMENT DIVISION: Hauling of Special Waste.

H & K Hauling - \$41,688.00* (Group 1/Total Net Primary Bid)

Fremar LLC - \$57,576.00* (Group 1/Total Net Secondary Bid)

*Estimate – Contracts approved on unit cost basis.

PUBLIC WORKS DEPARTMENT/MAINTENANCE DIVISION: Traffic Signs.

Vulcan Inc. - \$59,122.35* (Group 1/Total Net Bid)

*Estimate – Contract approved on unit cost basis.

WATER & SEWER DEPARTMENT/SEWAGE TREATMENT DIVISION: 32,000 GVWR Cab and Chassis with 47' Crane.

Roberts Truck Center - \$115,495.00 (Total Base Bid)

\$ 550.00 (Group 1/Option 1)

\$ 250.00 (Group 1/Option 2)

\$ 105.00 (Group 1/Option 3)

No Charge(Group 1/Option 4/Included)

No Charge(Group 1/Option 5/Included)

WATER & SEWER DEPARTMENT/PRODUCTION & PUMPING DIVISION: Liquid Oxygen.

Lampton Welding Supply* - \$173,978.00**(Group 1/Total Net Bid)

*Award redirected

**Estimate – Contract approved on unit cost basis.

Motion--

Mayans moved that the contract(s) be awarded as outlined above, same being the lowest and best bid, and the necessary signatures be authorized. Motion carried 6 to 0; (Fearey absent).

--carried

LICENSE

APPLICATION FOR LICENSE:

New Escort Service.

Marvin Gehrke

MG Management

535 South St. Francis

Motion--

Mayans moved that the license subject to Staff review and approval be approved. Motion carried 6 to 0, (Fearey absent).

--carried

CMBS

APPLICATION FOR LICENSE TO RETAIL CEREAL MALT BEVERAGES:

New Operator

2005

(Consumption off Premises)

Evan Nguyen

Evans Company
U.S. Gas and Groceries

801 South Oliver

*General/Restaurant - 50% or more of gross receipts derived from sale of food.

Motion--

Mayans moved that the license subject to Staff review and approval be approved. Motion carried 6 to 0, (Fearey absent).

--carried

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PRELIM ESTS.

PRELIMINARY ESTIMATES:

- a) 2005 Contract Maintenance Asphalt Mill & Overlay, and Overlay - south of 13th Street North, west of Seneca. (472-84155/132718/620426/665546) Traffic to be maintained during construction using flagpersons and barricades. (Districts IV, V) - \$519,739.60
- b) Lateral 148, Main 4, Sanitary Sewer #23 to serve Walnut Grove Addition - north of 33rd Street North, east of Janette. (468-84008/744116/480804) Traffic to be maintained during construction using flagpersons and barricades. (District VI) - \$6,000.00
- c) 31st Street South and Bonn Storm Water Sewer Improvements - north side of 31st Street South, between Bonn and Hiram. (562-854110/660500/854110) Traffic to be maintained during construction using barricades and flagpersons. (District IV) - \$25,000.00
- d) Temporary Frontage Road for Carmax - south side of Kellogg, east of Webb Road. (472-84141/765929 /490042) Traffic to be maintained during construction using barricades and flagpersons. (District II) - \$115,000.00
- e) Glenmoor from the north line of Zimmerly to the south line of Lincoln; Glenmoor Court serving Lots 1 thru 9, Block 4 from the east line of Glenmoor to and including the cul-de-sac; Glenmoor Court serving Lots 13 thru 26, Block 4 from the east line of Glenmoor to and including the cul-de-sac; Sidewalk on one side of Glenmoor from the north line of Zimmerly to the south line of Lot 13, Block 4 to serve Woodland Lakes Estates 3rd Addition - south of Lincoln, west of 127th Street East. (472-83717/765927/490040) Does not affect existing traffic. (District II) - \$354,000.00

Motion--
--carried

Mayans moved that the Preliminary Estimates be received and filed. Motion carried 6 to 0, (Fearey absent).

REED'S COVE

PETITIONS FOR PAVING, DRAINAGE AND WATER DISTRIBUTION SYSTEM IMPROVEMENTS TO SERVE REED'S COVE ADDITION, SOUTH OF 21ST STREET, EAST OF 127TH STREET EAST. (DISTRICT II)

Agenda Report No. 05-0546

The Petitions have been signed by one owner, representing 100% of the improvement districts.

These projects will provide paving, drainage improvements and water service to a new residential development located south of 21st, east of 127th St. East.

The Petitions total \$440,000. The funding source is special assessments.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners or the majority of the property in the improvement district.

Motion--carried

Mayans moved that the Petitions be approved and the Resolutions adopted. Motion carried 6 to 0, (Fearey absent).

RESOLUTION NO. 05-312

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-89853 (south of 21st, east of 127th street east) in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Gray, Martz, Schlapp, Skelton, Mayans, (Fearey absent).

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RESOLUTION NO. 05-313

Resolution of findings of advisability and Resolution authorizing construction Storm Water Sewer Number 617 (south of 21st, east of 127th street east) 468-84029 in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Gray, Martz, Schlapp, Skelton, Mayans, (Fearey absent).

RESOLUTION NO. 05-314

Resolution of findings of advisability and Resolution authorizing constructing Pavement on Reed's Cove Court serving Lots 19 through 26, Block 3, from the south line of Reed's Cove to and including the cul-de-sac; Bridlewood from the west line of Lot 11, Block 3, to the east line of Lot 28, Block 2; and Bridlewood Court serving Lots 28 through 35, Block 2, from the south line of Bridlewood to and including the cul-de-sac (south of 21st, East of 127th street east) 472-83771 in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Gray, Martz, Schlapp, Skelton, Mayans, (Fearey absent).

RESOLUTION NO. 05-315

Resolution of findings of advisability and Resolution authorizing constructing Pavement on Bridlewood from the east line of Lot 28, Block 2, to the west line of Lot 1, Block 3; Bridlewood Court serving Lots 17 through 27, Block 2, from the south line of Bridlewood to and including the cul-de-sac (south of 21st, east of 127th street east) 472-84238 in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Gray, Martz, Schlapp, Skelton, Mayans, (Fearey absent).

DEEDS/EASEMENTS DEEDS AND EASEMENTS:

- a) Sanitary Sewer Easement dated April 26, 2005 from Bill Dean, Owner, Auto trends, over a portion of Lot 3, Vandale, Sedgwick County, Kansas (OCA # 607861) No Cost to City.
- b) Utility Easement dated April 21, 2005 from Twenty First Growth Property, L.L.C. over a tract of land lying in portions of Lots 14 and 15, Block 4, Hawthorne Third Addition, an addition to Wichita, Sedgwick County, Kansas, (OCA# 607861). No Cost to City.
- c) Sanitary Sewer Easement dated May 9th, 2005 from Bill Shook, CEO, American Baptist Estates, Inc., over a portion of Block 2, Garden Villa 5th Addition, Wichita, Kansas, (OCA # 607861). No Cost to City.
- d) Water Easement dated May 9th, 2005 from Bill Shook, CEO, American Baptist Estates, Inc., over a portion of Block 2, Garden Villa 5th Addition, Wichita, Kansas, (OCA# 607861). No Cost to City.
- e) Utility Easement dated April 19, 2005 from George E. Laham, II, President of Gateway Center Addition Master Owner's Association, over a portion of Reserve A, Gateway Center 2nd Addition to Wichita,
- f) Utility Easement dated May 4, 2005 from Vantage Point Waterfront Properties, LLC; Box Development, LLC; KCBP, INC, over a portion of Lots 3 and 4, Block 1, The Waterfront Addition, an Addition to Wichita, Sedgwick County, Kansas, being located in the Southwest Quarter of Section 9, Township 27 South, Range 2 East, of the 6th Principal Meridian. (OCA #607861). No cost to City.

Motion--carried

Mayans moved that the documents be accepted. Motion carried 6 to 0, (Fearey absent).

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STREET CLOSURES CONSIDERATION OF STREET CLOSURES/USES.

There were no street closures submitted.

CONTS/AGRMNTS CONTRACTS & AGREEMENTS FOR MAY 2005.

Motion--carried Mayans moved that the report be received and filed. Motion carried 6 to 0, (Fearey absent).

A.D.A. CITY BUILDINGS AND FACILITIES-AMERICANS WITH DISABILITIES ACT COMPLIANCE – AGREEMENT.

Agenda Report No. 05-0547

Many of the City's buildings and facilities do not meet the requirements of the Americans with Disabilities Act (ADA) and are required by Federal Law to be brought into compliance. On September 21, 2004, the Council approved the project, adopted the bonding resolution and authorized staff to issue Requests for Proposals soliciting a consultant to prepare an updated ADA self-evaluation and assist City staff in the preparation of a modified Transition Plan as required by federal law and DOJ regulations.

On January 28, 2005, Purchasing issued Request for Proposal No. FP500013 for Professional Services Evaluation of City Buildings & Facilities for ADA Compliance. The City of Wichita's Staff Screening and Selection Committee interviewed 4 professional consultants including Accessology, Complete Access Solutions, Disability Management Consulting Group and National Center on Accessibility. The Committee selected Disability Management Consulting Group, of Columbia MO, (DMCG) and directed staff to negotiate an agreement with them.

An Agreement between the City of Wichita and DMCG has been negotiated and is being submitted for approval. Under this Agreement, DMCG will provide a complete survey of all properties, buildings, and parks owned by the City of Wichita for compliance with the ADA guidelines. The consultant will work hand in hand with City of Wichita staff and the Disability Advisory Council during the survey and development of a feasible transition plan for a single lump sum fee of one hundred seventy one thousand seven hundred thirty nine dollars and seventy nine cents (\$171,739.79).

This work, to prepare an updated ADA self-evaluation and assist City staff in the preparation of a modified transition plan, will be the first phase of a multi-year project to bring all City facilities into full ADA compliance. Once the new Transition Plan has been completed, staff will evaluate individual modification projects to determine if the work can be done by City employees or if outside architecture/engineering services will be required and the projects bid following normal City procedures.

Funding for bringing City facilities into ADA compliance has been budgeted for every year in the 2004-2013 Capital Improvement Program (CIP). A total of \$300,000 is budgeted for 2004 and 2005 to fund the ADA self-evaluation, development of a transition plan and beginning of construction on the highest priority items. The contract with Disability Management Consulting Group will be paid from those funds.

Motion-- Mayans moved that the Agreement be approved and the necessary signatures authorized. Motion
--carried carried 6 to 0, (Fearey absent).

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MARKETING STRAT. NEW MARKETING STRATEGY FOR CITY ACTIVITIES - CONTRACT.

Agenda Report No. 05-0548

Over the past years many of the City Departments have “done their own thing” as it relates to advertising their programs. A long time marketing strategy of the organization has been to better communicate the vast programs offered through departments. In an effort to maximize exposure yet lower cost, a staff committee has found a way to accomplish this goal.

Wichita Family demographics more closely match the desired target audience: mothers ages 24 – 54, with discretionary income. The editors have agreed to develop a new, larger publication that would allow enough space to include ALL city activity information and still cost approximately \$2,000 less than the smaller alternative currently done in the Wichita Eagle. The new publication will have its own identity (Live. Laugh. Play!) and be inside Wichita Family. It will have 64 pages, which will double the size of the current publication, which means more room for other departments and greater detail of classes and facilities. The publication would be distributed through all City facilities, as well as through Wichita Family’s 45,000 circulation and there are free distribution points such as area schools and Dillon’s stores.

In an effort to work with all departments that offer activities and classes for different ages, this enhanced quarterly publication will provide better communications to feature classes at City facilities such as the Art Museum and WATER Center, golf, activities at the public library, environmental conservation and community education. The publication will be better quality with a four-color cover and its smaller size (5” X 7”) will give it a longer shelf life.

The cost is approximately \$11,000 per publication for two issues that make up the remainder of the year. The cost will be shared with departments, according to space allocation. The dollars are allocated in the Park & Recreation budget and there will be a savings. Other departments will be asked to pay a price per page (approximately \$170/page). The remainder will be paid from the City Manager’s Office marketing budget.

Motion--
--carried

Mayans moved that the contract with the Wichita Family be approved and the necessary signatures authorized. Motion carried 6 to 0, (Fearey absent).

AIRTRAN

TRANSPORTATION SERVICES AGREEMENT-CITY AND COUNTY RE: AIRTRAN AIRWAYS, INC.

Agenda Report No. 05-0549

On April 19, 2005, the City Council entered into a one-year revenue guarantee agreement with AirTran Airways.

The presence of AirTran and their corresponding pricing structure has had a significant impact on airfares at Wichita Mid-Continent Airport, contributing to a 30% overall reduction in airfares and a corresponding 33% increase in passengers. It is estimated that the savings to the air travelers using Wichita Mid-Continent Airport as a result of the presence of AirTran exceeds \$85 million dollars.

Sedgwick County has joined in the effort to secure affordable air service at Wichita Mid-Continent Airport on a permanent, sustainable basis. On April 20, 2005 Sedgwick County approved an inter-local agreement with the City to provide additional funding for the revenue guarantee payments, in the event the City’s funding is depleted

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The City submitted a request to Sedgwick County for joint funding of the AirTran jet service. The County determined that maintaining competitive airfares for the community would benefit both residents and businesses of Sedgwick County and provide an economic benefit to all citizens. The term of the inter-local agreement is one-year. Sedgwick County will pay up to one million dollars in supplemental funding.

The County's payment obligation is contingent upon the City's full performance of its obligations under the guarantee agreement with AirTran. The County's payment does not exceed one million dollars and the City shall apply any payment from the County for no other purpose than to fulfill the City's obligation to AirTran.

Motion--
--carried

Mayans moved that the Transportation Services Agreement be approved and the necessary signatures authorized. Motion carried 6 to 0, (Fearey absent).

SIERRA HILLS

CHANGE ORDER: SIERRA HILLS ADDITION IMPROVEMENTS, EAST OF 127TH STREET EAST, NORTH OF PAWNEE. (DISTRICT II)

Agenda Report No. 05-0550

On June 6, 2003, the City Council approved a contract with Kansas Paving Company for paving improvements in Sierra Hills Addition. It has since been determined that a detention pond in the development is leaking and needs a clay liner. In addition, dome bricks are needed in the wheelchair ramps to meet current Americans with Disability Act requirements.

A Change Order has been prepared for the cost of the additional work. Funding is available within the project budget.

The cost of the additional work is \$14,360 with the total paid by special assessments. The original contract amount is \$667,062. This Change Order represents 2.15% of the original contract amount.

The Law Department has approved the Change Order as to legal form. The Change Order amount is within 25% of the construction contract cost limit set by the City Council policy.

Motion--
--carried

Mayans moved that the Change Order be approved and the necessary signatures authorized. Motion carried 6 to 0, (Fearey absent).

PROPERTY ACQ.

PROPERTY ACQUISITION: 2348 SOUTH ELLIS STREET FOR PAWNEE WIDENING IMPROVEMENT PROJECT FROM WASHINGTON TO HYDRAULIC. (DISTRICT III)

Agenda Report No. 05-0551

On October 21, 2003, the City Council approved the improvement and widening of Pawnee from Washington to Hydraulic. The project will require partial or total acquisition of 21 parcels, of which, 15 are single-family residences. The sixth residence of the 15 required residential acquisitions is an 816 square foot single-family residence at 2348 South Ellis Street, northeast corner of East Pawnee and South Ellis. The property has two bedrooms, one bathroom and consists of frame construction. The property is owner-occupied.

The property was appraised at \$60,000. The offer of \$60,000 was accepted by the owner. The owner will be relocated, the improvements will be removed and the site utilized for widening Pawnee, placement of the sidewalk and landscaping.

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The funding source for the project is General Obligation bonds and Federal monies. A budget of \$90,000 is requested. This includes \$60,000 for the acquisition, \$5,000 for demolition, \$24,000 for relocation and \$1,000 for title work and closing costs.

Motion--
--carried

Mayans moved that the budget be approved and the necessary signatures authorized. Motion carried 6 to 0, (Fearey absent).

ANTENNA SITE

LEASE OF ANTENNA SITE ON MCLEAN MANOR. (DISTRICT VI)

Agenda Report No. 05-0552

McLean Manor, at 2627 West 9th Street is an eight-story apartment complex operated by the Wichita Housing Authority. Cingular Wireless has approached the City about placing a wireless antenna array on the roof of the building. There are currently two other arrays on the roof. It has been determined that sufficient space exists to accommodate this installation.

The lease agreement provides for a five-year term with four five-year options. Monthly base rent is \$1,800 per month with a 15% increase during each option period. The lessee agrees not to interfere with the City's or other tenants use of the property. The lessee is responsible for any personal or real property taxes associated with the facility.

The City will receive rent revenues as described above. The lessee shall be responsible for all costs of installation, operation and maintenance of the facility.

Motion--
--carried

Mayans moved that the lease be approved and the necessary signatures authorized. Motion carried 6 to 0, (Fearey absent).

ICAC GRANT

INTERNET CRIMES AGAINST CHILDREN (ICAC) GRANT.

Agenda Report No. 05-0553

The City of Wichita Police Department, Sedgwick County Sheriff's Office and State Department of Social and Rehabilitation Services (SRS) have jointly operated an Exploited and Missing Child Unit (EMCU) since the mid 1980's. The mission of the unit is to investigate cases of missing and/or abused children, to identify offenders and to collect evidence for the prosecution of violators, all with the least amount of trauma to the child victims. SRS provides nine social workers, one office assistant and two program support workers; the Wichita Police Department provides eleven officers; and the Sheriff's Office provides two officers and two clerical staff. The Wichita Police Department, Sheriff's Office and SRS each fund the wages of their respective positions; operating expenditures are financed one-third by each entity. The EMCU operation is based on a Memorandum of Understanding signed by the five participating parties.

Since 2002, the U.S. Department of Justice, Office of Juvenile Justice Programs (OJJP) has awarded an Internet Crimes Against Children (ICAC) grant to the EMCU. The grant is administered by Sedgwick County and provides funding for one Sheriff's Office detective and one Wichita Police Department detective assigned to the EMCU, and also vehicle, travel/training, equipment and supplies costs. The City of Wichita's portion of the 2005/06 ICAC grant award is \$102,000 for salary/benefits for one detective position and associated vehicle costs.

Sedgwick County will reimburse the City of Wichita for salary and benefit costs for a Police detective position and related vehicle fleet costs, not to exceed \$102,000 for an 18-month period.

Motion--carried

Mayans moved that the grant award be approved. Motion carried 6 to 0, (Fearey absent).

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BROOKS LANDFILL AMENDMENT TO AGREEMENT WITH CDM ON BROOKS LANDFILL AIR PERMIT. (DISTRICT VI)

Agenda Report No. 05-0554

On July 1, 2003, the City Council approved a contract with Camp Dresser & McKee (CDM) to assist the City in the preparation of a Title V Class I Air Permit Application for the Brooks Landfill. The permit was issued by KDHE on February 18, 2005.

Under the conditions of the permit, the City is required to submit certain reports with the initial due dates as shown in the following table and is in need of other work products to meet the terms of the permit.

Report/Work Product	Initial Due Date
Semi-Annual New source Performance Standard (NSPS) Report	January 31, 2005
Annual Emissions Inventory Report	June 1, 2005
Permit Amendment for Phase II C&D Filling	One time only

The above work products were placed into the existing agreement by adjusting certain tasks in the agreement. This no-net-cost change was made by the City Manager on May 19, 2005. Other reports and work products are now needed. They are:

Report/Work Product	Initial Due Date
Semi-Annual New Source Performance Standard (NSPS) Report	July 31, 2005
National Emissions Standard for Hazardous Air Pollutants (NESHAP) Report	July 31, 2005
RFP Scope of Services for Title V Class I Air Permit	One time only

The cost of adding these new work products to the agreement is \$7,500. Once these work products are completed, staff will be able to develop a Request for Proposals to receive competitive proposals from consultants to assist in the preparation of these reports in the future on an ongoing basis. Staff will also determine what resources might be required to produce these reports in house.

Funds to pay the increased cost for the additional environmental reports and other needed work products are available within the Brooks Landfill Post-Closure Fund.

The City is required by the conditions of the new permit to prepare and submit the above environmental reports.

Motion--
--carried

Mayans moved that the amendment to the agreement with CDM be approved and the necessary signatures authorized. Motion carried 6 to 0, (Fearey absent).

GO BOND SALE

GENERAL OBLIGATION BOND SALE (SERIES 782), \$13,810,000; GENERAL OBLIGATION BOND SALE (SERIES 782A), \$1,610,000; AND GENERAL OBLIGATION TEMPORARY NOTE SALE (SERIES 214), \$66,180,000.

Agenda Report No. 05-0555

The City is planning to offer for sale one series of general obligation temporary notes totaling \$66,180,000, and two series of general obligation bonds totaling \$15,420,000 for the purpose of providing permanent financing for capital improvement projects of the City. The public sale of the bonds and notes is scheduled for 10:30 a.m. on July 12, 2005, at which time sealed bids will be opened and the City Council will award the sale of bonds and notes to the bidders whose proposed interest rates result in the lowest overall cost to the City.

The City's Summer 2005 general obligation bond and note sale includes the following issues:

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Temporary Notes

The proceeds from the sale of the Series 214 Temporary Improvement and Renewal Notes will be used to provide interim financing for the following various categories of City-at-large and improvement district projects:

SERIES 214

<u>Project Category</u>	<u>Total</u>
Arterial Paving	\$4,624,203
Bridges	1,747,000
Traffic Engineering	6,311
Public Improvements	14,305,000
Park	1,220,857
Neighborhood Improvements – Water	2,781,000
Neighborhood Improvements - Sewer	6,472,000
Neighborhood Improvements - Storm Sewer	6,364,000
Neighborhood Improvements – Paving	21,640,629
Facade Improvements	521,000
Storm Water Utility Improvements	<u>6,498,000</u>
TOTAL SERIES 214 NOTES	\$66,180,000

“Special Assessment Bonds”

The proceeds from the sale of the Series 782 and 782A Bonds will be used to permanently finance various neighborhood improvements located in special improvement districts. Special assessments have been levied against the property owners in the improvement districts for the purpose of paying all or a portion of the costs of such improvements, including the payment of principal and interest on Series 782 Bonds. The Special Assessment Bonds, Series 782, will be issued in the par amount of \$13,810,000. The Special Assessment Bonds, Series 782A, will be issued in the par amount of \$1,610,000.

Beginning in 2001, the sale of bonds and notes has been awarded based on the bid with the lowest true interest cost, or “TIC”. Using TIC to calculate the bids, accounts for the time value of money. The TIC is the rate that will discount all future cash payments so that the sum of their present value will equal the bond proceeds. Further, using the TIC calculation can potentially result in a municipality saving money because TIC does not ignore the timing of interest payments.

The Series 214 Temporary Notes will mature on February 9, 2006 and will be retired using the proceeds of both permanent financing bonds and renewal notes.

The Series 782 Special Assessment Bonds will mature serially over 15 years with principal maturities structured to produce level annual payments of principal and interest. The Series 782 Bonds are payable from the collection of special assessments levied against benefited properties, and if not so paid, from citywide ad valorem taxes. The Series 782 Special Assessment bonds will be callable in 2012 with a 1% call premium.

The Series 782A Special Assessment Bonds will mature serially over 20 years with principal maturities structured to produce level annual payments of principal and interest. The Series 782A Bonds are payable from the collection of special assessments levied against benefited properties, and if not so paid, from citywide ad valorem taxes. The Series 782A Special Assessment bonds will be callable in 2015 with a 1% call premium.

The Law Department has approved the Resolutions authorizing the sale of the series of bonds and notes and will direct the publication and distribution of the Notices of Bond and Note Sale (prepared by the City’s Bond Counsel as required by law).

Motion--

--carried

Mayans moved that the resolution authorizing the general obligation bond and note sales be adopted; the submittal of the Preliminary Official Statement upon completion be approved and the publication of the Notices of Sale be authorized. Motion carried 6 to 0, (Fearey absent).

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RESOLUTION NO. 05-316

A Resolution of the City of Wichita, Kansas authorizing and providing for the public sale of General Obligation Renewal and Improvement Temporary Notes, Series 214 and General Obligation Bonds, Series 782 and Series 782A of the city; and providing for the giving of notice of the public sale, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Gray, Martz, Schlapp, Skelton, Mayans; (Fearey absent).

WATER RIGHTS

WATER RIGHTS CONSERVATION PROGRAM.

Agenda Report No. 05-0556

Staff, with legal counsel and the state water regulatory staff, developed a contract and procedure for acquiring certified water rights in the Equus Beds. City Council approval was received August 2, 1991. The Equus Beds is where the City has wells and transmission lines that provide approximately one-half of the City's water supply.

In 1996, Staff advertised interest in purchasing water rights in the Equus Beds and successfully acquired water rights 6905, 10009 and 19969. These were placed under a 5-year conjunctive use contract expiring December 2003, with plans to place them in the Water Rights Conservation Program. In April 2004, the wells to these were plugged in accordance with the Division of Water Resources and Groundwater Management District No. 2.

When the City originally sought to acquire additional water rights in the Equus Beds wellfield, the intent was to purchase irrigation water rights and to convert them to municipal water rights to supplement the City's water supplies. Research done as part of the Water Supply Plan revealed that the wellfield is over appropriated, so we have more water rights than there is available water. Using the state's recharge rate of six-inches per year, the wellfield would have a 'safe yield' of approximately 50,000 acre-feet per year; however, there are over 83,000 acre-feet of water rights allocated in the wellfield. The approved Water Supply Plan recommends that the City continue to acquire existing water rights in the wellfield to protect its current and projected investments, and not convert them to municipal water rights.

The State of Kansas Division of Water Resources developed the Water Rights Conservation Program. The program allows a water right owner to suspend the use of an existing water right up to ten years. Under normal conditions, if a water right is not used for three years, it can be declared abandoned and can be withdrawn. The Water Rights Conservation Program will allow the City to protect the water right without having to utilize the water right for either irrigation, or municipal purposes.

The three water rights recommended for enrollment in the conservation program are irrigation rights that are no longer used to irrigate crops. If the City does not use these rights for three years or place them in this conservation program, it would risk having the rights revoked. Water rights can be placed in the conservation program for a minimum of three years, or a maximum of ten. Staff recommends placement for the ten-year period.

Alternatives the City Council may wish to consider are:

1. Approve Water Rights Conservation Program Contracts. Staff recommends the maximum time allowed, but they could be placed in the program from three-to-ten years.
2. Do not approve the Contracts and do not participate in the conservation program.

There are no fees associated with participation in the conservation program.

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The City is required to submit a Contract that specifies the affected water right, along with the amount of time the right would be held. During the specified Contract period, the water right cannot be used for any purpose.

Motion--
--carried

Mayans moved that Staff be authorized to submit the Contracts and the necessary signatures authorized. Motion carried 6 to 0, (Fearey absent).

BOARD APPTS.

BOARD APPOINTMENTS. (THE FOLLOWING APPOINTMENTS WERE MADE AT THE JUNE 7, 2005 COUNCIL MEETING BUT WERE NOT VOTED ON.)

Council Member Brewer Council Member Brewer requested that the following persons be appointed: John Youle, Board of Code Standards & Appeals; Dr. Glen R. Dey, Board of Park Commissioners; George Platt, Historic Preservation Board; Denise Sherman, Metropolitan Area Planning Commission; Carrie Jones-Williams-Police & Fire Retirement Board of Trustees; U.L. (Rip) Gooch, Wichita Airport Advisory Board; Bob Alford, Wichita Area Sister Cities Board; Harold Schletwig, Wichita Employee's Retirement Board; Dean Noble, and Wichita Public Building Commission.

The following persons to be appointed to DAB 1: Debby Moore, Treatha Foster-Brown, Sharon Kay Myers, James Thompson, Gerald Domitrovic, Debra Miller, Lois Tully-Gerber and Steven D. Roberts.

The alternates are Inga Taylor and youth from Wichita Heights High School, Michael Ross.

Council Member Skelton Council Member Skelton requested the following persons be appointed: Bill Ward, Airport Advisory Board; Hoyt Hillman, MAPC; Steven Antimides, BZA; John Kemp, Board Park Commissioners and Stephanie Mankus, Police & Fire Retirement Trustees.

Motion--carried Mayans moved that the appointments be made. Motion carried 6 to 0, (Fearey absent).

ORDINANCES

SECOND READING ORDINANCES: (FIRST READ JUNE 7, 2005)

a) Position classification.

ORDINANCE NO. 46-606

An Ordinance establishing position classifications for employees of the City of Wichita and prescribing pay rates by reference to position classifications in the schedule of pay ranges amending Ordinance No. 46-431, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 6 to 0. Yeas: Brewer, Gray, Martz, Schlapp, Skelton, Mayans, (Fearey absent)

b) ZON 2003-16 and ZON 2003-18 - located east of 135th Street West and on the north side of 13th Street North. (DISTRICT V)

ORDINANCE NO. 46-607

1. An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 6 to 0. Yeas: Brewer, Gray, Martz, Schlapp, Skelton, Mayans, (Fearey absent) (ZON 2003-16)

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ORDINANCE NO. 46-608

2. Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210 read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 6 to 0. Yeas: Brewer, Gray, Martz, Schlapp, Skelton, Mayans, (Fearey absent). (ZON 2003-18)

NEW BUSINESS

COLEMAN CO.

EXTENSION OF IRB TAX EXEMPTION, THE COLEMAN COMPANY. (DISTRICT I)

Allen Bell

Economic Development Administrator reviewed the Item.

Agenda Report No. 05-0557

On December 9, 1999, City Council approved issuance of Industrial Revenue Bonds in the amount of \$5.3 million to The Coleman Company. In conjunction with the bond issue, City Council approved a 100% property tax abatement for a 5-year term on the project, plus a second 5 years subject to Council review. Bond proceeds were used to finance the construction of a new corporate headquarters, the expansion of existing manufacturing facilities and the purchase of additional machinery and equipment for its manufacturing facilities in Wichita and Maize.

On December 31, 2004, the initial 5-year period for tax exemption expired. The Coleman Company request City Council extend the tax exemption to include the second five years on bond-financed real and property.

The Coleman Company, Inc. is engaged in the manufacturing and distribution of outdoor recreational products. The Company's principal products include a comprehensive line of pressurized lighting, cooling and heating appliances for camping and outdoor recreational use (such as Coleman lanterns and stoves), fuel-related products, including disposable propane-filled cylinders, a broad range of insulated food and beverage containers, portable electric lights, and other products for recreational use and do-it-yourself markets.

As a condition of the bond issue and tax exemption, Coleman committed to: construct a new corporate headquarters, expand existing manufacturing facilities, and purchase machinery and equipment, with a total investment of \$5,300,000, and create 200 new jobs within five years of the bond issue.

A measure of Coleman's initial five-year project commitments and outcomes are as follows:

1999 Commitment

December 31, 2004 Status

Construct new building addition
Purchase Manufacturing Equipment:
Create 200 new jobs in five years:

Completed new headquarters and building addition
Purchased equipment worth over \$4,695,000
No jobs were created

Staff conducted a site-monitoring visit on July 24, 2004 and subsequent meetings were held in City Hall. Coleman has fallen short of its projection and has significantly downsized its workforce. Coleman has recently undergone an extensive corporate restructuring, following acquisition of Coleman's parent company by Jarden Corporation. The corporate headquarters of the Coleman Company was recently moved back to Wichita from Chicago, and the new company leadership plans to stabilize employment levels at the Wichita plant by consolidating operations from other locations. However, the company does not anticipate a significant increase in employment levels.

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In 2000, the County's appraised value of the exempted bond-financed property was approximately \$3715,000. That property's appraised value is currently \$1,258,000. Based on the 2004 mill levy, the 2005 taxes on the exempted property would be approximately \$142,640. Coleman is current in payments of administrative service fees.

Section 7.5 of the lease provides the City Council reserves the right to terminate the exemption at the end of the first five-year period.

Each year, the City must re-certify to the County Clerk that the exempted property is still eligible in order to continue the property tax exemption for that year. This allows the City Council to review non-complying companies each year and revisit the decision to extend the exemption.

Council Member Skelton Council Member Skelton stated he is concerned that no jobs were created and that the proposal in 1999 stated 200 jobs would be created and wanted to hear a brief explanation for the plan that the Company has to create jobs.

Sam Solomon Chief Financial Officer, Coleman Company, stated intentions in 1999 when the IRB's were requested, was that they were expecting significant growth for the Coleman Company, but the economic situation and the global competitiveness led to a competitive environment which also struck Coleman, so unfortunately, growth in jobs, revenues and profits were not as expected. Sales in the U.S. have gone down significantly and the actual sales and the sale of products made in the Wichita area have gone down by about a fourth or a fifth of the overall declining sales.

Mr. Solomon thinks in terms of moving forward that they have stabilized that loss and are positioning themselves to be much more competitive and expect that the Company will grow as it goes forward. Coleman is still studying how that will create manufacturing jobs. They do know that consolidating the Company headquarters back here from Chicago will increase, not necessarily the total number of employees, but the overall payment of two employees, in the Wichita area.

Mayor Mayans Mayor Mayans inquired whether anyone wished to be heard and no one appeared.

Motion-- Brewer moved that the public hearing be closed and the tax exemption on the Coleman Company's IRB-financed personal property for a one-year period and review further extensions at the end of this year be extended. Motion carried 6 to 0, (Fearey absent).

--carried

FLIGHTSAFETY EXTENSION OF IRB TAX EXEMPTION, FLIGHTSAFETY INTERNATIONAL, (DISTRICT V)

Allen Bell Economic Development Administrator reviewed the item.

Agenda Report No. 05-0558

On March 9, 1999, City Council approved issuance of Adjustable Mode Facility Refunding and Improvement Revenue Bonds in the amount of \$26,170,000 to FlightSafety International. In conjunction with the bond issue, City Council approved a 100% property tax abatement for a 5-year term on the bond-financed property, plus a second five years subject to City Council review. Bond proceeds were used to purchase and install seven training simulators, and redemption of the Series I, 1992 outstanding bonds. On December 31, 2004, the initial five-year period for tax exemption expired. FlightSafety International requests City Council extend the tax exemption to include the second five years on bond-financed real and property.

FlightSafety provides simulator training for private sector and public sector operators of aircraft and ships. FlightSafety also provides training in air traffic control procedures and certain aircraft maintenance. Owners and flight crew of aircraft purchased from Wichita-based aircraft manufacturers receive FlightSafety training as part of the purchase price of the aircraft.

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As a condition of the bond issue and tax exemption, FlightSafety committed to: construct a new building addition and purchase training simulators, with a total investment of \$26,170,000, and create 50 new jobs within five years of the bond issue. A measure of FlightSafety's initial five-year project commitments and outcomes are as follows:

1999 Commitment

Purchase Manufacturing Equipment:
Create 50 new jobs in five years:

December 31, 2004 Status

Purchased equipment costing \$15,000,000
Created 48 new jobs

Staff conducted a site-monitoring visit on August 19, 2004. FlightSafety has nearly met its projection of creating 48 new permanent jobs. In Wichita, FlightSafety's business is linked directly to the sales of business jets by Wichita-based aircraft companies. The company expects employment to continue to climb, along with the general aviation industry.

In 2000, the County's appraised value of the exempted bond-financed simulators was approximately \$12,588,000. That property's current appraised value is \$3,000,000. Based on the 2004 mill levy, the 2005 taxes on the exempted property would be approximately \$340,000. FlightSafety is current in payments of administrative service fees.

Section 7.5 of the lease provides the City Council reserves the right to terminate the exemption at the end of the first five-year period.

Mayor Mayans

Mayor Mayans inquired whether anyone wished to be heard and no one appeared.

Motion--
--carried

Martz moved that the public hearing be closed, and the tax exemption on FlightSafety's IRB-financed property for a second five-year period be extended. Motion carried 6 to 0, (Fearey absent).

LEE AEROSPACE

EXTENSION OF IRB TAX EXEMPTION, LEE AEROSPACE, INC. (DISTRICT II)

Allen Bell

Economic Development Administrator reviewed the Item.

Agenda Report No. 05-0559

On June 9, 1999, City Council approved issuance of Industrial Revenue Bonds in the amount of \$4.5 million to Lee Aerospace, Inc. In conjunction with the bond issue, City Council approved a 100% property tax abatement for a 5-year term on the project, plus a second 5 years subject to Council review. Bond proceeds were used to acquire property and construct a new facility including 30,000 s.f. for manufacturing space and 8,000 s.f. for office space and new modern equipment located at 8500 E. 32nd Street North in northeast Wichita. On December 31, 2004, the initial five-year period for tax exemption expired. Lee Aerospace, Inc. requests City Council extend the tax exemption to include the second five years on bond-financed property.

Lee Aerospace manufactures windshields, cockpit windows, side windows, and laminated cabin windows. Lee Aerospace's primary customer base includes Boeing, Raytheon, Cessna, and Learjet aircraft.

As a condition of the bond issue and tax exemption, Lee Aerospace committed to: construct a new 30,000 s.f. manufacturing facility, and an additional 8,00 s.f. for office space, and purchase new modern equipment, with a total investment of \$4,500,000, and create 50 new jobs within five years of the bond issue. A measure of Lee Aerospace's initial five-year project commitments and outcomes are as follows:

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1999 Commitment

Construct new manufacturing facility
Purchase Manufacturing Equipment:
Create 50 new jobs in five years:

December 31, 2004 Status

Completed a total of 38,000 SF building additions
Purchased equipment worth over \$848,000
Created 50 new jobs

Lee Aerospace has met its projection of creating 50 new permanent jobs.

In 2003, Lee Aerospace paid approximately \$8,108.05 in personal property taxes. The appraised value exempted property is currently \$4,630,420. Lee Aerospace is current in payments of administrative service fees.

Section 7.5 of the lease provides the City Council reserves the right to terminate the exemption at the end of the first five-year period.

Mayor Mayans

Mayor Mayans inquired whether anyone wished to be heard and no one appeared.

Motion--
--carried

Schlapp moved that the public hearing be closed and the tax exemption on Lee Aerospace's IRB financed property for a second five-year term be extended. Motion carried 6 to 0, (Fearey absent).

**MCCORMICK
ARMSTRONG**

EXTENSION OF IRB TAX EXEMPTION, MCCORMICK-ARMSTRONG CO., INC. (DISTRICT I)

Allen Bell

Economic Development Administrator reviewed the Item.

Agenda Report No. 05-0560

On July 27, 1999, City Council approved issuance of Industrial Revenue Bonds in the amount of \$2.3 million to McCormick-Armstrong Co., Inc. In conjunction with the bond issue, City Council approved a 100% property tax abatement for a 5-year term on the project, plus a second 5 years subject to Council review. Bond proceeds were used to finance the purchase, rehabilitation, and installation of manufacturing equipment located at their existing facility. On December 31, 2004, the initial five-year period for tax exemption expired. McCormick-Armstrong requests the City Council approve the second five years of tax exemption on bond-financed property.

McCormick-Armstrong is among the largest and oldest commercial print product manufacturers in Kansas. McCormick-Armstrong utilizes state-of-the-art printing technology for the production of advertising, catalogs, short-run publications, calendars, etc. The company used industrial revenue bonds to acquire a new state-of-the-art printing press and associated production equipment used in the process of manufacturing printed products. The new equipment upgrade allowed for the Company's prepress department to implement "direct-to-plate" technologies, which included new proofing and plate setting equipment.

As a condition of the bond issue and tax exemption, McCormick-Armstrong committed to: purchase, and install certain manufacturing equipment, with a total investment of \$2,300,000, and create 50 new jobs within five years of the bond issue.

A measure of McCormick-Armstrong's initial five-year project commitments and outcomes are as follows:

1999 Commitment

Purchase Manufacturing Equipment:
Create 50 new jobs in five years:

December 31, 2004 Status

Purchased equipment worth over \$2,300,000
No jobs were created

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Staff conducted a site-monitoring visit on October 16, 2003. McCormick-Armstrong has fallen short of its projection and has significantly downsized its workforce. The company reports that the terrorist attacks of 9-11-2001 and the ensuing economic downturn has prevented the company from adding employees, and in fact caused them to reduce their workforce to a level that could be supported by production levels. As the economy has started to rebound, the company has started to increase its capacity and begin hiring again. However, the company cannot be certain it will reach the level of employment that it projected it would in 1999.

In 2000, the appraised value of the exempted property was approximately \$1,971,000. That property's current appraised value is approximately \$450,000. Based on the 2004 mill levy, the 2005 taxes on the exempted property will be approximately \$52,000. McCormick-Armstrong is current in payments of administrative service fees.

Section 7.5 of the lease provides the City Council reserves the right to terminate the exemption at the end of the first five-year period.

Each year, the City must re-certify to the County Clerk that the exempted property is still eligible in order to continue the property tax exemption for that year. This allows the City Council to review non-complying companies each year and revisit the decision to extend the exemption.

Council Member Skelton Council Member Skelton stated that he is concerned that no jobs were created and wanted to hear a brief explanation of the plan that the Company has to create jobs

Jake Schaeffer President, McCormick-Armstrong, stated that the original request for the IRB program was for \$11,000,000, and they took down the first part of it in Phase 1 and today we'll be talking about Phase 2. As McCormick-Armstrong approached the end of the first five years, the industry started to show some weakness that has not been seen before and there were a tremendous number of changes in technology that the Company was going face. They felt it was prudent to cut back in the amount of the bond issues that were withdrew, so they actually used 43 percent of the bond issues. The fifty jobs that were talked about was for the \$11,000,000, so our goal is if we can achieve 43 percent of those jobs in growth, which would be 21 jobs, that McCormick Armstrong has met their commitment. Mr. Schaffer stated they were faced with technology changes from a film based process to a digital based process that caused a reduction of 16 employees and that those 16 people had to be replaced--that they are actually two people a head of what they were when they started in 1996. The goal is by the end of this year that they will have achieved the additional 21 people necessary to make the equivalent of the 50 jobs--that they have added approximately seven people since October and that they currently have openings for about five more people that they are trying to fill. Mr. Schaffer stated that a lot of their competitors have not survived the printing recession and that they have been in business for 104 years and have survived and are very optimistic that those positions will be filled.

Mayor Mayans Mayor Mayans inquired whether anyone wished to be heard.

Cybill Strum Ms. Strum stated that she would like to know where the money was coming from.

Motion-- Brewer moved that the public hearing be closed and the tax exemption on McCormick-Armstrong's IRB-financed personal property for a one-year period and review the further extensions at the end of this year be extended. Motion carried 6 to 0, (Fearey absent).
--carried

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RITCHIE CO.

EXTENSION OF IRB TAX EXEMPTION, RITCHIE COMPANIES. (DISTRICT V)

Allen Bell

Economic Development Administrator reviewed the Item.

Agenda Report No. 05-0561

On August 17, 1999, City Council approved issuance of Industrial Revenue Bonds in the amount of \$3,600,000 to Ritchie Companies. In conjunction with the bond issue, City Council approved a 100% property tax abatement for a 100% five-plus-five-year term on bond-financed property. Bond proceeds were used to acquire, construct, and equip a new corporate headquarters facility located at 2872 N. Ridge Road in northwest Wichita.

On December 31, 2004, the initial five-year period for tax exemption expired. Ritchie Companies requests City Council extend the tax exemption to include the second five-years on the 1999 bond-financed property.

Ritchie Companies is the parent company of Ritchie Corporation and Rich-Mix Products, Inc. Ritchie Corporation is a manufacturing and construction-related company doing business primarily in Kansas through its several subsidiaries, including Ritchie Paving, Ritchie Sand, Allen Concrete, Ark Valley Concrete and Concrete Accessories Company. Rich-Mix Products is a consumer products manufacturing company operating throughout the Midwest in the production and marketing of bagged concrete mixes and related products such as patio stone and lawn and garden products for the “do-it-yourself” industry. Rich-Mix has plants in Wichita, Dallas, Kansas City, Oklahoma City, Tulsa and Springfield, Missouri.

As a condition of the bond issue and tax exemption, Ritchie Companies committed to: construct and equip a new corporate headquarters facility worth \$3,600,000; and, create 30 new jobs within five years of the bond issue. A measure of Ritchie’s initial five-year project commitments and outcomes are as follows:

1999 Commitment

Construct new corporate headquarters:
Create 30 new jobs in five years:

December 31, 2004 Status

Completed new headquarters worth \$3,600,000
Created 29 new jobs

Staff conducted a site-monitoring visit on April 21, 2005. Ritchie Companies has come nearly close to meeting its projection of 30 new permanent jobs by creating 29 new jobs. Ritchie’s additional goal relating to the bond-financed project was an overall increase in sales. Ritchie increased sales by more than 34 % since 1999.

Ritchie Companies is current in payments of administrative service fees.

Section 7.5 of the lease provides the City Council reserves the right to terminate the exemption at the end of the first five-year period.

Mayor Mayans

Mayor Mayans inquired whether anyone wished to be heard and no one appeared.

Motion--
--carried

Martz moved that the public hearing be closed and the tax exemption on Ritchie Companies’ IRB-financed property for a second five-year term be extended. Motion carried 6 to 0, (Fearey absent).

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WER

WICHITA EMPLOYEE'S RETIREMENT AND POLICE AND FIRE RETIREMENT SYSTEMS ACTUARIAL VALUATION REPORTS, JANUARY 1, 2004 – DECEMBER 31, 2004, PRESENTATION BY THE RETIREMENT SYSTEM'S ACTUARY.

Pat Beckham

Milliman USA reviewed the Item.

Agenda Report No. 05-0562

The Board of Trustees for both the Wichita Employees' Retirement (WER) System and the Police & Fire (P&F) Retirement System employ Milliman USA to serve as technical advisor/consultant and to supply the Boards with information relative to actuarial phases of the operations of the Retirement Systems. The actuary recommends the mortality, interest, and other required actuarial tables; prepares an annual valuation of liabilities and reserves, and makes an annual determination of the amount of contributions necessary to meet requirements for annuities and benefits, certifying the results to the Boards; and reviews the operating experience of the Retirement Systems as a check of the adequacy of the recommended actuarial standards.

The funding objective of the WER and P&F Retirement Systems is to establish and receive contributions, expressed as percents of active member pensionable payroll, which will remain approximately level from year to year, and will not have to be increased for future generations of citizens in the absence of benefit improvements. The Retirement Systems are supported by: (1) Member contributions; (2) City contributions; and (3) investment income from the Retirement Systems' assets.

1. The actuary's valuations state that for the fiscal year beginning January 1, 2006, the range for the City's required contributions to the WER System is 3.5% to 8.2%. The City's required contribution to the P&F System is 18.4%, as there is no current surplus funding to offset contributions. Contribution rates are stated as a percent of active member pensionable payroll. These rates are based on the benefit provisions and active member contribution rates in effect on December 31, 2004. Of the total dollar amount contributed to WER, City contributions for Plan 3 (a defined contribution plan) are allocated to Plan 3 individual members' accounts.

The employer funding objective contribution requirement has been computed to remain level from year to year as a percentage of active member pensionable payroll, so long as benefits and demographic make-up of members does not change materially, and experience assumptions are realized.

2. In accordance with governing Rules and Ordinances, the Retirement System's actuary, Milliman, Inc., completed a five (5) year experience study (1998 through 2003) for both the WER and P&F Retirement Systems. The purpose of this study is to determine how accurately current actuarial assumptions have predicted actual experience, and whether assumptions should be modified for future valuations. Based on the study, the actuary recommended numerous changes to the assumptions, which were approved by the individual Boards for first implementation with the December 31, 2004 actuarial report.

The major assumption changes for both the WER & P&F Retirement Systems included lowering the inflation assumption from 4.5% to 4.0%, and reducing the general wage increase assumption from 4.75% to 4.5%. In addition, changes were made to demographic and salary increase assumptions including the incorporation of a new set of mortality tables published by the Society of Actuaries known as the RP-2000 Tables. The new tables project future mortality improvements on a generational basis.

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3. The funded ratios (liabilities covered by assets) and employer (City) contributions for Retirement Systems over the past three (3) years are shown below:

WER	<u>Period Ending</u>	<u>Budget</u>	<u>Funded Ratios</u>	<u>Employer Contributions</u>
		<u>Year</u>		
	December 31, 2002	2004	117.0%	4.7%
	December 31, 2003	2005	115.4%	4.7%
	December 31, 2004	2006	112.1%	4.7%

P&F	<u>Period Ending</u>	<u>Budget</u>	<u>Funded Ratios</u>	<u>Employer Contributions</u>
		<u>Year</u>		
	December 31, 2002	2004	106.2%	14.0%
	December 31, 2003	2005	106.8%	14.0%
	December 31, 2004	2006	99.8%	18.4%

4. In summary, the actuary's reports reflect that the aggregate experience of the Retirement Systems during the twelve months (12) ended December 31, 2004, after the changes in assumptions from the Experience Study, was as expected in WER except for a small net loss due to experience. P&F experienced a greater net loss than expected. A large portion of this loss was due to salary increases during the last year being much higher than the assumptions (a result of the timing lag due to extended contract negotiations) and the increase in life expectancy for males due to the newly adopted mortality tables. The losses in P&F entirely exhausted the prior year surplus, resulting in the P&F Retirement System being slightly under funded. The change in the funded ratios and the funding objective employer contribution rates from 2005 to 2006 reflect the experience during the year.

In conjunction with the actuary's recommendation and in keeping with the City's current policy of maintaining level contribution rates, the Department of Finance recommends the City's contribution rates, expressed as a percent of active member pensionable payroll, remain constant for WER at 4.7%, and increase from 14.0% to 18.4% for P&F for the fiscal year 2006.

Under the ordinances creating the two pension systems, the City is statutorily required to contribute the actuarially required contributions to the Retirement Systems.

George Kolb City Manager stated that the City would probably be impacted with a \$2,000,000 increase in the Police and Fire Pension Fund for 2006.

Mayor Mayans Mayor Mayans inquired whether anyone wished to be heard and no one appeared.

Motion-- Mayans moved that the public hearing be closed; that the Wichita Employees' Retirement and Police & Fire Retirement Systems Actuarial Valuation Reports (January 1, 2004 – December 31, 2004) as submitted, be approved; and that the 2006 employer retirement fund contribution rates be approved.

--carried Motion carried 6 to 0, (Fearey absent).

HUD

HUD CONSOLIDATED PLAN-SUBSTANTIAL AMENDMENT.

Mary K. Vaughn Director of Housing Services reviewed the Item.

Agenda Report No. 05-0563

Staff has prepared a substantial amendment to the 2005/2006 One Year Action Plan to provide funding for building permits for the Harbor House Construction project. The Harbor House provides shelter for domestic violence victims.

The proposed CDBG substantial amendment is consistent with the City Council's previous action to adopt the 2005/2006 One Year Action Plan. This project is eligible under CFR 570.201(e) as a public service and as a limited clential activity under CFR 570.208(a)(2)(i)(A).

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The Harbor House construction project will be funded from program income that has been collected since the approval of the 2005/2006 One Year Action Plan. Total CDBG funding not to exceed \$8,000 will be provided to the Office of Central Inspection and the City Water Department for required building and water permits.

HUD regulations require that citizens be allowed 30 days to comment on all substantial amendments to the City's Consolidated Plan. All citizen comments received will be presented to the City Council for consideration before the amendment is adopted. HUD must be notified of approved amendments to the Consolidated Plan before they can be implemented.

Mayor Mayans

Mayor Mayans inquired whether anyone wished to be heard.

Cybill Strum

Ms. Strum stated that Harbor House is an excellent program.

Motion--

Mayans moved that the public hearing be closed and that a 30-day public comment period be authorized and the substantial amendments, subject to citizen comments received, be approved. Motion

-- carried

carried 5 to 1. (Martz, No; Fearey absent).

OLD TOWN PARKING AMENDMENT TO PARKING PROCEDURES IN OLD TOWN DISTRICT. (DISTRICT VI)

Tom Stolz

Deputy Police Chief reviewed the Item.

Agenda Report No. 05-0564

The Merchants of Old Town Association (MOTA) has worked with Council Member Fearey, and city staff including Police, Traffic Engineering, Law and the City Manager's Office to mitigate parking issues in Old Town particularly congestion during the evening hours. Due to the popularity of Old Town, especially on the weekends, many visitors have chosen to utilize limousines and charter buses for their mode of transportation. Inasmuch as limousines and small buses carry many more passengers than standard cars or passenger vehicles, use of these vehicles mitigates some of the demand for parking spaces and vehicular congestion.

Staff recommends that restricted short-term loading and unloading zones for limos and charter buses be established in Old Town particularly where the existing taxi stands are now located. According to MOTA and the Community Police officers, the two existing taxi stands are seldom used. These two locations are on the south side of First Street east of Mosley and on the north side of Second Street east of Mosley. In addition, a third drop-off and pick up for limos and charter buses is recommended on the north side of Douglas immediately west of Mead. (See the enclosed aerial for locations.) The hours during which the loading and unloading zones will be in effect will be 9 p.m. to 3 a.m. daily.

Both MOTA and the Old Town Community Police officers recommend that in order for enforcement of these restricted zones to be effective that the violation be punishable by a fine of not less than \$100 per occurrence. The fine will be posted on the signage. Prior to full implementation of the fine schedule, Community Police officers will notify the limousine and charter bus companies as well as Old Town businesses of the changes. During the initial implementation, courtesy tickets advising of the changes will be posted on illegally parked vehicles.

The cost to fabricate and install the new signs is \$450 and will be funded through the Traffic Maintenance Budget. The Community Police officers and Wichita Ambassadors will provide enforcement.

The Law Department has drafted the amendments to Section 11.52.115 of the Code pertaining to parking procedures in the Old Town district.

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Mayor Mayans

Mayor Mayans inquired whether anyone wished to be heard and no one appeared.

Motion--
--carried

Mayans moved that the public hearing be closed; that the ordinance be placed on first reading and the necessary signatures be authorized. Motion carried 6 to 0, (Fearey absent).

ORDINANCE

An Ordinance amending Section 11.52.115 of the Code of the City of Wichita, Kansas, pertaining to parking procedures in the Old Town District and repealing the original of said Section, introduced and under the rules laid over.

PLANNING AGENDA

Motion--
---carried

Mayans moved that the Planning Agenda Items 27 through 35 be approved as presented. Motion carried 6 to 0, (Fearey absent).

VAC2004-00064

VAC2004-00064-REQUEST TO VACATE A PORTION OF PLATTED STREET RIGHT-OF-WAY, MULTIPLE PLATTED FRONT SETBACKS AND PLATTED UTILITY EASEMENTS, GENERALLY LOCATED NORTH OF CENTRAL AVENUE AND WEST OF TYLER ROAD. (DISTRICT V)

Agenda Report No. 05-0565

Staff Recommendation: Approve.

MAPC Recommendation: Approve (Unanimously).

The applicant proposes to vacate a portion of the Waddington Court right-of-way (ROW) and the platted 25-foot front setback that runs parallel to the ROW and replace them with the Subdivision's 'Narrow Local Residential Street' standards. This type of street design is intended for limited use in duplex development (one of several uses) in cul-de-sacs. The applicant also proposes to vacate the north 10-feet of the platted 20-foot utility easement that is located along the south lot lines of Lots 1 to 16. There are no water or sewer lines in the platted easement. The Four H Addition was recorded with the Register of Deeds on April 1, 1993.

The MAPC voted (11-0) to approve the vacation request. No one spoke in opposition to this request at the MAPC's advertised public hearing (December 23, 2004) or its Subdivision Committee meeting. No written protests have been filed.

A certified copy of the Vacation Order, an easement dedicated by separate instrument for utilities and drainage and a front setback dedicated by separate instrument will be recorded with the Register of Deeds. A restrictive covenant for off street parking has been recorded with the Register of Deeds.

Motion--
--carried

Mayans moved that the Vacation Order be approved and the necessary signatures authorized. Motion carried 6 to 0, (Fearey absent).

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VAC2005-00013

VAC2005-00013-REQUEST TO VACATE THE USE RESTRICTIONS LISTED ON THE PLAT FOR A RESERVE TO ALLOW ADDITIONAL USES, GENERALLY LOCATED EAST OF TYLER ROAD AND SOUTH OF 29TH STREET NORTH, MORE SPECIFICALLY NORTHEAST OF THE PEPPER RIDGE STREET AND MEADOW PARK STREET INTERSECTION. (DISTRICT V)

Agenda Report No. 05-0566

Staff Recommendation: Approve.

MAPC Recommendation: Approve (Unanimously).

The applicant is requesting consideration for the vacation of the use restrictions listed in the plat's text for platted Reserve "E" in Fossil Rim Estates Addition. The uses permitted in Reserve "E" include: drainage purposes, landscaping, sidewalks, lakes, open spaces, berms and utilities confined to easements. The applicant requests the vacation to allow the additional uses of a neighborhood swimming pool, a parking lot, a club house and related facilities and recreational uses, while retaining the existing allowed uses in Reserve "E". There are no manholes or sewer and water lines in the reserve. The applicant has submitted a drainage plan that has been approved by the Public Works Department. The applicant has provided an approved site plan. The Fossil Rim Estates Addition was recorded with the Register of Deeds on May 31, 2002.

The MAPC voted (9-0) to approve the vacation request. No one spoke in opposition to this request at the MAPC's advertised public hearing (April 14, 2005) or its Subdivision Committee meeting. No written protests have been filed.

A certified copy of the Vacation Order will be recorded with the Register of Deeds. Retain the original uses allowed in Reserve "E" for drainage purposes, landscaping, sidewalks, lakes, open spaces, berms and utilities confined to easements and allow the additional uses of a neighborhood swimming pool, a parking lot, a club house and related facilities and recreational uses.

Motion--
--carried

Mayans moved that the Vacation Order be approved and the necessary signatures authorized.
Motion carried 6 to 0, (Fearey absent).

VAC2005-00016

VAC2005-00016-REQUEST TO VACATE A UTILITY EASEMENT DEDICATED BY SEPARATE INSTRUMENT, GENERALLY LOCATED SOUTH OF HARRY STREET AND WEST OF SOUTHWEST BOULEVARD, MORE SPECIFICALLY ON THE SOUTHWEST CORNER OF KNIGHT AND ESTHNER AVENUES. (DISTRICT IV)

Agenda Report No. 05-0567

Staff Recommendation: Approve.

MAPC Recommendation: Approve (Unanimously).

The applicant is requesting consideration for the vacation of a portion of a 20-foot utility easement dedicated by separate instrument; Film 274, Pages 813 & 814. The applicant proposes to build onto the existing building, which will put it over the easement. There is a sewer line in the portion of the easement the applicant wants to vacate. The applicant has provided an Engineer's Certificate of Completion in regards to the sewer line located in the easement having been abandoned. This Certificate has been approved by the Public Works Department. There are no water lines in this easement. The Freeman Addition appears to have been recorded with the Register of Deeds in 1910.

The MAPC voted (10-0) to approve the vacation request. No one spoke in opposition to this request at the MAPC's advertised public hearing (May 12, 2005) or its Subdivision Committee meeting. No written protests have been filed.

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A certified copy of the Vacation Order will be recorded with the Register of Deeds.

Motion--
--carried

Mayans moved that the Vacation Order be approved and the necessary signatures authorized.
Motion carried 6 to 0, (Fearey absent).

VAC2005-00018

VAC2005-00018-REQUEST TO VACATE PORTIONS OF PLATTED UTILITY EASEMENTS, GENERALLY LOCATED ON 21ST STREET NORTH MIDWAY BETWEEN 127TH STREET EAST AND 143RD STREET EAST, MORE SPECIFICALLY ON THE SOUTHWEST CORNER OF 21ST STREET NORTH AND CLEAR CREEK STREET. (DISTRICT II)

Agenda Report No. 05-0568

Staff Recommendation: Approve.

MAPC Recommendation: Approve (Unanimously).

The applicant is requesting consideration to vacate portions of platted utility easements. There are no franchised utilities, sewer or water lines in the described portion of the utility easement. The applicant has provided a copy of a recorded easement for future location of utilities. The Reed's Cove 3rd Addition was recorded with the Register of Deeds on May 26, 2004.

The MAPC voted (10-0) to approve the vacation request. No one spoke in opposition to this request at the MAPC's advertised public hearing (May 12, 2005) or its Subdivision Committee meeting. No written protests have been filed.

A certified copy of the Vacation Order will be recorded with the Register of Deeds.

Motion--
--carried

Mayans moved that the Vacation Order be approved and the necessary signatures authorized.
Motion carried 6 to 0, (Fearey absent).

ZON2005-00014

ZON2005-00014-ZONE CHANGE FROM "LC" LIMITED COMMERCIAL TO "SF-5" SINGLE-FAMILY RESIDENTIAL. GENERALLY LOCATED AT THE NORTHWEST CORNER OF 13TH STREET NORTH AND WEBB ROAD. (DISTRICT II)

Agenda Report No. 05-0569

MAPC Recommendations: Approve, vote (10-0).

MAPD Staff Recommendations: Approve.

DAB Recommendations: Not applicable.

The applicant requests a zone change from "LC" Limited Commercial to "SF-5" Single-family Residential on a 0.57 acre unplatted tract located west of Webb Road and north of 13th Street North. The site is developed with a single-family residence. The applicant recently sought and obtained a rezoning and CUP (The Foliage Center Commercial Community Unit Plan-DP-282) on property southwest of this application area. This request is a down zoning, which the applicant offered during his previous request for commercial zoning and a CUP.

North and west of the application area is "SF-5" zoned property under the same ownership as the application area. Southeast of this site is "LC" zoned vacant property recently approved for The Foliage CUP. Further south, across 13th Street, is a "GO" General Office and "LC" zoned office park. East of the application area, across Webb Road, is the "LI" Limited Industrial zoned Waterfront commercial development and lake.

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At its regular meeting on May 12, 2005, the Wichita-Sedgwick County Metropolitan Area Planning Commission considered and approved this request. No members of the public spoke regarding the request.

Motion--
-- carried

Mayans moved that Council concur with the findings of the MAPC and that the Ordinance be placed on first reading. Motion carried 6 to 0, (Fearey absent).

ORDINANCE

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210, introduced and under the rules laid over. (ZON 2005-00014)

**CUP2003-00055 &
ZON2003-00053**

CUP2003-00055 & ZON2003-00053-EXTENSION OF TIME TO COMPLETE PLATTING REQUIRED FOR DP-269 SPENCER'S COVE COMMERCIAL COMMUNITY UNIT PLAN AND A ZONE CHANGE FROM "SF-5" SINGLE FAMILY RESIDENTIAL TO "LC" LIMITED COMMERCIAL, "NR" NEIGHBORHOOD RETAIL, AND "GO" GENERAL OFFICE. GENERALLY LOCATED SOUTH OF 29TH STREET NORTH AND WEST OF MAIZE ROAD. (DISTRICT V)

Agenda Report No. 05-0570

Staff Recommendation: Approve extended platting deadline of October 17, 2005.

On December 17, 2003, the Board of County Commissioners approved the creation of DP-269 Spencer's Cove Commercial Community Unit Plan (CUP) and a zone change from "SF-20" Single Family Residential to "LC" Limited Commercial, "NR" Neighborhood Retail, and "GO" General Office for 19.1 acres located south of 29th Street North and west of Maize Road. The CUP and zone change were approved subject to platting the property within one year. Per adopted policy, the platting deadline was extended by six months to June 17, 2005 by the Chair of the Board of County Commissioners. The applicant indicates in the attached letter that a plat for the property has yet to be prepared due to delays in working with the Corps of Engineers regarding drainage issues associated with the property. The applicant has requested an additional two years to complete platting due to the uncertainty regarding the length of time it will take to resolve the outstanding drainage issues with the Corps of Engineers. On May 27, 2005, the subject property was annexed by the City of Wichita, thus changing the current zoning to "SF-5" Single Family and placing the requested platting extension under the decision making authority of the City Council.

Public Works has reviewed the requested two-year platting extension and is of the opinion that the drainage issues regarding the subject property are nearly resolved and only four additional months are needed to complete the platting process. Public Works indicates that the drainage issues associated with the subject property directly impact the drainage issues associated with surrounding properties and is concerned that if an additional two years are granted to plat the subject property that it will hinder the timely development of surrounding properties. Therefore, staff recommends that an extension of time to complete platting requirements be granted only for four months instead of the requested two years.

No legal documents are required to enact the granting of the platting extension. The granting of a platting extension is indicated via letter to the applicant noting the extended platting deadline as granted by the City Council.

Motion--
--carried

Mayans moved that the extended platting deadline of October 17, 2005 be approved. Motion carried 6 to 0, (Fearey absent).

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SUB2005-41

SUB 2005-41-PLAT OF REGENCY PARK THIRD ADDITION, LOCATED SOUTH OF 29TH STREET NORTH AND WEST OF GREENWICH ROAD. (DISTRICT IV)

Agenda Report No. 05-0571

Staff Recommendation: Approve the plat.

MAPC Recommendation: Approve the plat. (12-0)

This site, consisting of seven lots on 19.86 acres, is a replat of a portion of Lots Eight and Nine, Block One, Regency Park Addition. This site is located within Wichita's city limits. A Protective Overlay (P.O. #13) was also approved for this site. A Notice of Protective Overlay has been submitted addressing uses, screening, signage, building height and setbacks.

Petitions, all 100 percent, and a Certificate of Petitions have been submitted for water, paving and sanitary sewer improvements. This site is within the noise impact area of McConnell Air Force Base; therefore, an Avigational Easement and Restrictive Covenant have been submitted. The City of Wichita has an interest in this property's ownership and is shown as one of the site's platters.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within 30 days.

The Notice of Protective Overlay, Certificate of Petitions, Avigational Easement and Restrictive Covenant will be recorded with the Register of Deeds.

Motion--

Mayans moved that the documents and plat be approved; the Resolutions adopted and the necessary signatures, both as to approval of the plat and as to the City's ownership interest, be authorized.

--carried

Motion carried 6 to 0, (Fearey absent).

RESOLUTION NO. 05-317

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-90089 (south of 29th street north, west of Greenwich) in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Gray, Martz, Schlapp, Skelton, Mayans, (Fearey absent).

RESOLUTION NO. 05-318

Resolution of findings of advisability and Resolution authorizing construction of Lateral 7, Main 26, War Industries Sewer (south of 29th street north, west of Greenwich) 468-84035 in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Gray, Martz, Schlapp, Skelton, Mayans, (Fearey absent).

RESOLUTION NO. 05-319

Resolution of findings of advisability and Resolution authorizing constructing Pavement on 26th street circle north from the east line of Regency Park Third Addition to and including the cul-de-sac serving Lots 1 through 5, Block 1, and Lot 7 Block 1, (south of 29th street north, west of Greenwich) 472-84241 in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Gray, Martz, Schlapp, Skelton, Mayans, (Fearey absent).

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SUB2005-26

SUB 2005-26-PLAT OF GODDARD SCHOOL ADDITION, LOCATED SOUTH OF MAPLE AND ON THE EAST SIDE OF 167TH STREET WEST. (DISTRICT V)

Agenda Report No. 05-0572

Staff Recommendation: Approve the plat.

MAPC Recommendation: Approve the plat. (9-0)

This site, consisting of one lot on 44.5 acres, is located within Wichita's city limits and is zoned SF-5, Single-family Residential District.

Petitions, 100 percent, and a Certificate of Petitions have been submitted for street, sanitary sewer, water main and storm water improvements. For those reserves being platted for drainage purposes, a Maintenance Covenant was submitted to provide for the ownership and maintenance of the reserves.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within 30 days.

The Certificate of Petitions and Maintenance Covenant will be recorded with the Register of Deeds.

Motion--
--carried

Mayans moved that the documents and plat be approved; the necessary signatures be authorized and the Resolutions be adopted. Motion carried 6 to 0, (Fearey absent).

RESOLUTION NO. 05-320

Resolution of findings of advisability and Resolution authorizing construction of Lateral 49, Cowskin Interceptor Sewer (south of Maple, east of 167th street west) 468-84042 in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Gray, Martz, Schlapp, Skelton, Mayans, (Fearey absent).

RESOLUTION NO. 05-321

Resolution of findings of advisability and Resolution authorizing improving Storm Water Drain No. 271 (south of Maple, east of 167th street west) 468-84043 in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Gray, Martz, Schlapp, Skelton, Mayans, (Fearey absent).

RESOLUTION NO. 05-322

Resolution of findings of advisability and Resolution authorizing constructing Pavement on 167th street west south of Maple to allow for Acceleration and Deceleration Lanes for the northbound traffic and a southbound Left Turn Lane from 167th street west at Goddard School Addition (south of Maple, east of 167th street west) 472-84243 in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Gray, Martz, Schlapp, Skelton, Mayans, (Fearey absent).

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DED2005-15

DED 2005-15- DEDICATION OF STREET RIGHT-OF-WAY; AND DED 2005-16 - DEDICATION OF A UTILITY EASEMENT, LOCATED ON THE NORTH SIDE OF 33RD STREET NORTH AND WEST OF ARKANSAS. (DISTRICT VI)

Agenda Report No. 05-0573

MAPC Recommendation: Accept the Dedications. (10-0)

These dedications are associated with a lot split case (SUB 2005-37). The Dedications are for additional street right-of-way along Jeanette and for construction and maintenance of public utilities.

The Dedications have been reviewed and approved by the Planning Commission.

The Dedications will be recorded with the Register of Deeds.

Motion--carried

Mayans moved that the Dedications be accepted. Motion carried 6 to 0, (Fearey absent).

AIRPORT AGENDA

Motion--
--carried

Mayans moved that the Airport Agenda be approved with the recommended actions. Motion carried 6 to 0, (Fearey absent).

ELECTRICAL SERV.

MIDFIELD ROAD SITE DEVELOPMENT, ELECTRICAL SERVICE WICHITA MID-CONTINENT AIRPORT.

Agenda Report No. 05-0574

The Wichita Airport Authority approved the Professional Engineering Consultants design contract on February 1, 2005. The project was approved to relocate facilities, install utilities, and construct a street.

A supplemental agreement has been prepared to provide construction-related services.

The cost of the construction-related services is \$7,760 and is within the project budget.

Motion--
--carried

Mayans moved that the Supplemental Agreement be approved and the necessary signatures authorized. Motion carried 6 to 0, (Fearey absent).

ROTATING BEACON

MIDFIELD ROAD SITE DEVELOPMENT CONTRACT-ROTATING BEACON RELOCATION, WICHITA MID-CONTINENT AIRPORT.

Agenda Report No. 05-0575

On May 3, 2005 the Wichita Airport Authority approved the Rotating Beacon Relocation as part of the Midfield Road Site Development project to accommodate the new Honeywell development on Wichita Mid-Continent Airport.

A request for qualifications was conducted and Professional Engineering Consultants, Inc. has been selected to provide professional services related to the project. A contract has been prepared for design and bid phase services.

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The contract amount is \$24,125.25 and will be funded with General Obligation bonds paid for with Airport Revenue. The project is eligible for a federal grant and at the appropriate time a grant application will be submitted. If successful, the funds will be used to reimburse the expenses.

Motion-- Mayans moved that the contract be approved and the necessary signatures authorized. Motion
--carried carried 6 to 0. (Fearey absent).

AIR CARGO APRON AIRFIELD PAVEMENT, SOUTH AIR CARGO APRON AND RELATED PROJECTS, WICHITA MID-CONTINENT AIRPORT.

Agenda Report No. 05-0576

On March 5, 2002 Ritchie Paving, Inc. was awarded the contract for the South Air Cargo Apron and related projects in the amount of \$631,666.08.

A final change order has been prepared to adjust final construction quantities and to address liquidated damages. The project will then be closed out.

The change order in the amount of \$31,160.80 is within the approved budget and will be paid for with a grant from the Federal Aviation Administration (FAA), Passenger Facility Charges and airport revenue. Total changes are less than one-percent of the original contract amount. It is requested that \$24,000 of the approved funds identified for Passenger Facility Charges be reallocated and paid with airport revenue.

Motion-- Mayans moved that the change order be appointed; the funding sources reallocated and the
--carried necessary signatures authorized. Motion carried 6 to 0, (Fearey absent).

CITY COUNCIL

APPOINTMENTS BOARD APPOINTMENTS.

Council Member Brewer Council Member Brewer made several appointments, however those appointments had been made at the June 7, 2005, Council Meeting; but were not voted on. They were voted on today in the Consent Agenda. **Action is shown in Agenda order.**

Motion -- Mayor Mayans moved that the following names from the submitted list be approved to serve on the Diversity Task Team: Kenya Cox, Sher Adams, Loren Breckenridge, Frank Garcia, Peggy Elliott and Brian Black. Denise Sherman, Gary Gibbs, Greg Ferris, Khan Nguyen, Ray Frederick, LaZaro San Martin, Delia Lopez, Jamie Lopez, The alternates are Greg Kalina. and Gregg Cummings.
--carried Motion carried 6 to 0; (Fearey absent).

Council Member Gray Council Member Gray requested that the following persons be appointed: Tim Austin, Wichita Airport Advisory Board; Kim Edgington, Historical Preservation; Randy Holm, Board of Air Conditioning/Broiler, Refrigeration, Warm Air Heating and Boilers; and Mike Hasting, Police & Fire Retirement.

Council Member Schlapp Council Member Schlapp requested that the following persons be appointed to DAB II:
--Brian Carduff, Daryl Crotts, Sarah Devries, Ray Frederick, Larry Frutiger, Tim Goodpasture, Matt Hesse, Joe Johnson, David Mollihagen, Phil Ryan, Marty Weeks.
--Youth: Dane Saksa and Kaci Tucker.
--Mick Tranbarker, Park Board; Min Easterman, Historic Preservation Board and Dave Murffin, Airport Advisory Board..

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- Council Member Martz Council Member Martz requested that the following persons be appointed:
Ed Murabito, Board of Code Standards & Appeals; Dennis Brunner, Board of Park Commissioners;
Roberta Johnson, Historic Preservation Board; Barbara Baker, Library Board; Evelyn Neier, Library
Board; Ron Marnell, Metropolitan Area Planning Commission; Jack Graham, Police & Fire Retirement
Board of Trustees; Bill Haggar, Wichita Public Building Commission; and Jay Russell---Wichita
Airport Advisory Board.
- Council Member Skelton Council Member Skelton appointed Pat Pickard to the Public Building Commission and Helen Parley to
the Library Board.
- Mayor Mayans Mayor Mayans requested the following persons be appointed:
Randy Harder, Board of Code Standards and Appeals; Dwight Greenley, Board of Zoning Appeals;
Susan Estes, Library Board; Ron Estes, Airport Advisory Board; Don Wolfe, Employees Retirement
Board; Joe Johnson, Public Building Commission; and Marvin Fisher, Police & Fire Retirement Board
of Trustees.
- Motion -- carried Mayans moved that the appointments be approved. Motion carried 6 to 0, (Schlapp absent)

EXECUTIVE SESSION

- Motion-- Mayans moved at 10:57 a.m. that the City Council recess into Executive Session to consider:
consultation with legal counsel on matters privileged in the attorney-client relationship relating to legal
advice, contract negotiations and preliminary discussion relating to the acquisition of real property for
public purposes; and that the Council return from Executive Session no earlier than 11:45 a.m. and
reconvene in the City Council Chambers of City Hall. Motion carried 6 to 0, (Fearey absent).
- carried

RECONVENE

- The City Council reconvened in Council Chambers at 11:50 a.m.
- Mayor Mayans Mayor Mayans announced that no action was necessary as a result of the executive session.
- Motion--carried Mayans moved at 11:50 a.m. that the Executive Session be closed. Motion carried 5 to 0, (Gray and
Fearey absent).
- Motion--carried Mayans moved at 11:51 a.m. that the Regular Meeting be closed. Motion carried 5 to 0, (Gray and
Fearey absent).
- Adjournment The City Council meeting adjourned at 11:51 a.m.

Patsy Ellis
Deputy City Clerk

Workshop followed in the First Floor Board Room